IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

WP(C).No. 27919 of 2007(W)

PETITIONER:

IIMS SANKALP CHARITABLE TRUST,
REGISTRATION NO.DLI/4830/4/2808 OF 2006, REP. BY
TRUSTEE, G. THAMPY, S/O. GOVINDAN, AGED 45 YEARS,
REGIONAL OFFICE, K.P.ROAD,MOONAMKUTTY, RESIDING AT
VALAKOTTU VEETTIL, MANJADITHARA MURI,
BHARANIKAVU VILLAGE.

BY ADV. SRI.R.REJI

RESPONDENTS:
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1. THE SUPERINTENDENT OF POLICE, ALAPPUZHA.

2. D. MADHUSUDHANAN, AGED 40 YEARS,
PROPRIETOR, M/S. SABARI INTERIORS,CHETTIKULANGARA.

ADV. SRI. SOORAJ T. ELANJIKAL FOR R2
GOVERNMENT PLEADER SRI. P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 27919/2007 W

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE AUTHORIZATION LETTER ENTRUSTING THE SAID GOVINDAN THAMPHY TO ACT OR ENGAGE ON BEHALF OF THE TRUST VIDE AUTHORIZATION LETTER DT. 10/3/2007.

EXT.P2. COPY OF THE PLAINT IN OS NO. 51/2007 BEFORE THE SUB COURT, MAVELIKKARA.

EXT.P3. COPY OF THE INTERIM ORDER PASSED IN O.S. NO. 51/2007 VIDE IA NO. 455/2007 DT. 30/3/2007.

RESPONDENT'S EXHIBITS **NIL.**

True copy

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K.BALAKRISHNAN NAIR &

T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) NO. 27919 OF 2007-W

Dated 25th September, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioner, which is a Charitable Trust, has approached this Court, alleging that on the motion made by the 2nd respondent, the officials under the 1st respondent Superintendent of Police are harassing its office bearers. It points out that there is a suit between the Trust and the 2nd respondent before the Sub Court, Mavelikkara. There is also an interim order in favour of the petitioner against the defendants therein, including the 2nd respondent herein. To overreach the order of the civil court, the 2nd respondent has moved the 1st respondent, it is submitted.

2. The learned Government Pleader, upon instructions, submitted that the 2nd respondent has filed a complaint before the 1st respondent against the petitioner. The 1st respondent authorised the S.I of Police to enquire into the said complaint. On coming to know that it is a civil dispute and the matter is pending before the civil court, further proceedings in the matter were

dropped. The learned counsel for the 2nd respondent submitted that the said respondent has filed a complaint before the 1st respondent alleging forgery against the petitioner. To avoid investigation into that crime, this writ petition is filed.

3. We feel that in view of the submissions made by the learned Government Pleader, which we have already recorded, no further orders are required in this writ petition. Accordingly, it is closed, recording the said submission.

K.BALAKRISHNAN NAIR, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

Nm/